

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM800486

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	RELEASE OF SECURITY INTEREST		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
MIDCAP FINANCIAL TRUST, as Agent		04/04/2023	Statutory Trust: DELAWARE
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	TerSera Therapeutics LLC		
<b>Street Address:</b>	520 Lake Cook Rd., Suite 500		
<b>City:</b>	Deerfield		
<b>State/Country:</b>	ILLINOIS		
<b>Postal Code:</b>	60015		
<b>Entity Type:</b>	Limited Liability Company: DELAWARE		
<b>PROPERTY NUMBERS Total: 12</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	4893721	VARUBI	
<b>Registration Number:</b>	5335795	VARUBI ROLAPITANT	
<b>Registration Number:</b>	5200148	XERMELO	
<b>Registration Number:</b>	6034081	XERMELO	
<b>Registration Number:</b>	6034082		
<b>Serial Number:</b>	77942800	ERGOMAR	
<b>Serial Number:</b>	86900284	TERSERA	
<b>Serial Number:</b>	86900292	TERSERA	
<b>Serial Number:</b>	86900298	TERSERA	
<b>Serial Number:</b>	73545833	ZOLADEX	
<b>Serial Number:</b>	74010646	ZOLADEX	
<b>Serial Number:</b>	78158492	SAFESYSTEM	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>			
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
<b>Phone:</b>	3129932617		
<b>Email:</b>	atoosa.nowrouzi@lw.com		
<b>Correspondent Name:</b>	Atoosa Nowrouzi		

CH \$315.00 4893721

**Address Line 1:** C/O Latham and Watkins 330 N Wabash Ave  
**Address Line 2:** Suite 2800  
**Address Line 4:** Chicago, ILLINOIS 60611

**ATTORNEY DOCKET NUMBER:** 058728-0007 [AN]

**NAME OF SUBMITTER:** ATOOSA NOWROUZI

**SIGNATURE:** /an/

**DATE SIGNED:** 04/04/2023

**Total Attachments: 9**

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**RELEASE OF INTELLECTUAL PROPERTY SECURITY AGREEMENTS**

This **RELEASE OF INTELLECTUAL PROPERTY SECURITY AGREEMENTS**, dated as of April 4, 2023 (this “**Release**”), is made by **MIDCAP FINANCIAL TRUST**, in its capacity as agent for Secured Parties (in such capacity, the “**Agent**”) as defined in the First Lien Guaranty and Security Agreement referred to below. All capitalized terms used, but not otherwise defined herein, shall have the meanings set forth in the First Lien Guaranty and Security Agreement or in the Intellectual Property Security Agreements referred to below.

**WHEREAS**, in connection with that certain First Lien Guaranty and Security Agreement, dated as of March 30, 2017 (as amended, restated, supplemented or otherwise modified from time to time, the “**Guaranty and Security Agreement**”), by and among the Grantors and the Agent, the Grantors, as collateral security for the Secured Obligations, granted to the Agent a security interest in and continuing lien on all of their right, title and interest in, to and under the Collateral, including without limitation, certain Intellectual Property of the Grantors;

**WHEREAS**, in connection with the First Lien Guaranty and Security Agreement and pursuant to those certain agreements described on Annex I attached hereto (collectively, the “**Intellectual Property Security Agreements**”), certain of the Grantors granted to the Agent a security interest in their Intellectual Property as Collateral, including the Patent Collateral and Trademark Collateral (each as defined in the Intellectual Property Security Agreements); and

**WHEREAS**, the Intellectual Property Security Agreements were recorded in the United States Patent and Trademark Office or the United States Copyright Office, as applicable, on the dates and on the reel and frame numbers set forth on Annex I hereto.

**NOW THEREFORE**, in consideration of the material covenants and agreements set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Agent hereby releases, terminates and discharges, without representation, recourse or warranty whatsoever, all of its rights in, to and under, including its lien on and security interest in, and right of setoff against all such Intellectual Property within Collateral, whether granted pursuant to the Intellectual Property Security Agreements or any other agreement or document delivered in connection with the Pledge and Security Agreement, and the Agent hereby reassigns any and all such right, title and interest (if any) that the Agent may have in, to and under all such Intellectual Property within Collateral to the Grantors.

This Release shall be governed by, and construed and interpreted in accordance with, the laws of the State of New York.

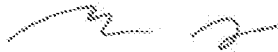
[Signature Page Follows]

**IN WITNESS WHEREOF**, the Agent has executed this Release as of the date first written above.

**MIDCAP FINANCIAL TRUST**, as Agent

By: Apollo Capital Management, L.P.,  
its investment manager

By: Apollo Capital Management GP, LLC,  
its general partner

By:   
\_\_\_\_\_  
Name: Maurice Amsellem  
Title: Authorized Signatory

[Signature Page to Release of Intellectual Property Security Agreements]

**TRADEMARK**  
**REEL: 008033 FRAME: 0586**

**ANNEX I**

Patent Security Agreement against TerSera Therapeutics LLC, a Delaware limited liability company, in favor of Agent, dated as of March 30, 2017 and recorded in the United States Patent and Trademark Security Office on April 10, 2017 at Reel/Frame 041939/0487 covering the following:

**PATENT REGISTRATIONS**

<b>Grantor</b>	<b>Title / Name</b>	<b>Application No.</b>	<b>Registration No.</b>
TerSera Therapeutics LLC	AUTOMATICALLY OPERABLE SAFETY SHIELD SYSTEM FOR SYRINGES	09/936,859	7118552
TerSera Therapeutics LLC	AUTOMATICALLY OPERABLE SAFETY SHIELD SYSTEM FOR SYRINGES	10/815,014	7220247
TerSera Therapeutics LLC	AUTOMATICALLY OPERABLE SAFETY SHIELD SYSTEM FOR SYRINGES	11/740,598	7500964
TerSera Therapeutics LLC	INJECTION DEVICE WITH PULL OFF STRIP	29/154,724	D483861

Patent Security Agreement against TerSera Therapeutics LLC, a Delaware limited liability company, in favor of Agent, dated as of July 12, 2018 and recorded in the United States Patent and Trademark Security Office on July 19, 2018 at Reel/Frame 046591/0544 covering the following:

**I. PATENT APPLICATIONS**

TESARO Ref. No.	App. No.	App. Status	Pub. No.	Patent No.	Filing Date	Pub. Date	Issue Date
TSR_ROL A01_P1	62/492,146	Expired			29-Apr-2017		
TSR_ROL A01_US	15/967,054	Pending			30-Apr-2018		

**II. LICENSED PATENTS**

OPKO/ TESARO Ref. No.	App. No.	App. Status	Pub. No.	Patent No.	Filing Date	Pub. Date	Issue Date
2009.7046-USPRO	61/234129	Converted			14-Aug-2009		
2009.7046-US	12/855889	Granted	US-2011-0038925-A1	9101615	13-Aug-2010	17-Feb-2011	11-Aug-2015
6453-USPRO	60/789280	Converted			05-Apr-2006		
6453-US	11/732548	Granted	US2007-0244142A1	8178550	04-Apr-2007	18-Oct-2007	15-May-2012
6453-USCON1	12/614108	Granted	US2010-0048601A1	8470842	06-Nov-2009	25-Feb-2010	25-Jun-2013
6453-USCON3	14/683871	Published	US-2015-0210693-A1		10-Apr-2015	30-Jul-2015	
6458-USPRO	60/789514	Converted			05-Apr-2006		
6458-US	11/732663	Granted	US2007-0275051A1	7563801	04-Apr-2007	29-Nov-2007	21-Jul-2009
6458-USCON1	13/184926	Granted	US-2012-0015921-A1	8404702	18-Jul-2011	19-Jan-2012	26-Mar-2013
6458-USCON2	13/847242	Granted	US-2014-0088128-A1	9345692	19-Mar-2013	27-Mar-2014	24-May-2016
6627-USPRO	60/919501	Converted			22-Mar-2007		
6627-US	12/531966	Granted	US2010-0104637A1	8361500	15-Dec-2009	29-Apr-2010	29-Jan-2013

6627-USCON2	14/540635	To be abandoned	US-2015-0283121-A1		13-Nov-2014	08-Oct-2015	
6458-USDIV1	12/487263	Granted	US2010-0137348A1	7981905	18-Jun-2009	03-Jun-2010	19-Jul-2011
6628-USPRO	60/919666	Converted			22-Mar-2007		
6628-US	12/531859	Granted	US2010-0087426A1	8552191	14-Dec-2009	08-Apr-2010	08-Oct-2013
6628-USCON1	15/043129	Granted	US-2017-0008893-A1	10000493	12-Feb-2016	12-Jan-2017	19-Jun-2018
6628-USDIV1	14/039367	Granted	US-2014-0024834-A1	9260428	27-Sep-2013	23-Jan-2014	16-Feb-2016
6840-USPRO	61/094474	Converted			05-Sep-2008		
6840-USCON1	14/043210	Granted	US-2014-0031549-A1	9249144	01-Oct-2013	30-Jan-2014	02-Feb-2016
6840-USDIV1	15/012422	Granted	US-2016-0145256-A1	9822116	01-Feb-2016	26-May-2016	21-Nov-2017
CN1524K-USPRO	60/341452	Converted			18-Dec-2001		
CN1524K-US	10/321687	Granted	US2003-0158173A1	7049320	17-Dec-2002	21-Aug-2003	23-May-2006
CN1524K-USDIV	11/358827	Granted	US2006-0199815A1	7902366	21-Feb-2006	07-Sep-2006	08-Mar-2011
CN1524K-USCON1	12/967132	Granted	US-2011-0098468-A1	8273895	14-Dec-2010	28-Apr-2011	25-Sep-2012
CN1524K-USCON2	13/625799	Granted	US-2013-0023503-A1	8796299	24-Sep-2012	24-Jan-2013	05-Aug-2014
CN1524K-USCON3	14/341097	Granted	US-2014-0336158-A1	9688693	25-Jul-2014	13-Nov-2014	27-Jun-2017

Patent Security Agreement against TerSera Therapeutics LLC, a Delaware limited liability company, in favor of Agent, dated as of September 8, 2020 and recorded in the United States Patent and Trademark Security Office on September 30, 2020 at Reel/Frame 053940/0001 covering the following:

**PATENT REGISTRATIONS AND APPLICATIONS**

<b>LEXICON REFERENCE</b>	<b>COUNTRY</b>	<b>APPLICATION NUMBER</b>	<b>FILING DATE</b>	<b>PATENT NUMBER</b>	<b>ISSUE DATE</b>
LEX-1002-US-PRV	United States	60754955	Dec 29, 2005		
LEX-1002-US-NP	United States	11638677	Dec. 12, 2006	7723345	May 25, 2007
LEX-1002-US-CNT	United States	12750278	Mar 30, 2010	8063057	Nov 22, 2011
LEX-1002-US-CNT[2]	United States	13290261	Nov 7, 2011	8629156	Jan 14, 2014
LEX-1004-US-PRV	United States	60754785	Dec 29, 2005		
LEX-1004-US-NP	United States	11647517	Dec 28, 2006	7855291	Dec 21, 2010
LEX-1004-US-CIP	United States	12257558	Oct 24, 2008	7897763	Mar 1, 2011
LEX-1004-US-CNT	United States	13024469	Feb 10, 2011	8450532	May 28, 2013
LEX-1005-US-PRV	United States	60874596	Dec 12, 2006		
LEX-1005-US-CNT	United States	12468974	May 20, 2009	7709493	May 4, 2010
LEX-1005-US-CNT[2]	United States	12754341	Apr 5, 2010	7968559	Jun 28, 2011
LEX-1005-US-CNT[3]	United States	13162989	Jun 17, 2011	8772482	Jul 8, 2014
LEX-1005-US-NP	United States	11954000	Dec 11, 2007	7553840	Jun 30, 2009
LEX-1008-US-PRV	United States	60949040	Jul 11, 2007		
LEX-1008-US-NP	United States	12169815	Jul 9, 2008	7875622	Jan 25, 2011
LEX-1008-US-CNT	United States	13006592	Jan 14, 2011	8410121	Apr 2, 2013
LEX-1009-US-PRV	United States	60975846	Sep 28, 2007		
LEX-1009-US-CNT	United States	13486103	Jun 1, 2012	8653094	Feb 18, 2014
LEX-1009-US-NP	United States	12237455	Sep 25, 2008	8193204	Jun 5, 2012
LEX-1010-US-PRV	United States	60957744	Aug 24 2007		
LEX-1010-US-CNT	United States	13160678	Jun 15, 2011	8575362	Nov 5, 2013
LEX-1010-US-DIV	United States	12732311	Mar 26, 2010	7968729	Jun 28, 2011
LEX-1313-US-PRV	United States	61547894	Oct 17, 2011		
LEX-1313-US-CNT[3]	United States	16688658	Nov 19, 2019		
LEX-1314-US-PRV	United States	61410421	Nov 5, 2010		
LEX-1314-US-NP	United States	13288366	Nov 3, 2011	8772483	Jul 8, 2014



Trademark Security Agreement against TerSera Therapeutics LLC, a Delaware limited liability company, in favor of Agent, dated as of March 30, 2017 and recorded in the United States Patent and Trademark Security Office on April 13, 2017 at Reel/Frame 6034/0242 covering the following:

1. REGISTERED TRADEMARKS

Mark Name	App. No.	App. Date	Status	Current Owner	Reg. No.	Reg. Date
ERGOMAR	77/942800	2/23/10	Reg. (G)	TerSera Therapeutics LLC	3859849	10/12/10

2. TRADEMARK APPLICATIONS

Mark Name	App. No.	App. Date	Status	Current Owner	Reg. No.	Reg. Date
TERSERA (CLASS 5)	86/900284	2/08/16	Filed (F)	TerSera Therapeutics LLC		
TERSERA (CLASS 35)	86/900292	2/08/16	Filed (F)	TerSera Therapeutics LLC		
TERSERA (CLASS 42)	86/900298	2/08/16	Filed (F)	TerSera Therapeutics LLC		

3. LICENSED TRADEMARKS

Trademark	App Date / App No.	Registration Date / Registration No.	Status
ZOLADEX	July 1, 1985 / 73545833	July 29, 1986 / 1402790	Registered
ZOLADEX	Dec. 14, 1989 / 74/010646	Nov. 27, 1990 / 1624402	Registered
SAFESYSTEM	Aug. 28, 2002 / 78/158492	Jan. 15, 2008 / 3370124	Registered

Trademark Security Agreement against TerSera Therapeutics LLC, a Delaware limited liability company, in favor of Agent, dated as of July 12, 2018 and recorded in the United States Patent and Trademark Security Office on July 19, 2018 at Reel/Frame 6412/0385 covering the following:

REGISTERED TRADEMARKS

Mark Name	Status	Current Owner	Reg. No.	Reg. Date
VARUBI	Registered	TerSera Therapeutics LLC	4,893,721	1/26/2016
VARUBI ROLAPITANT (& Color Design)	Registered	TerSera Therapeutics LLC	5,335,795	11/14/2017

Trademark Security Agreement against TerSera Therapeutics LLC, a Delaware limited liability company, in favor of Agent, dated as of September 8, 2020 and recorded in the United States Patent and Trademark Security Office on October 6, 2020 at Reel/Frame 7071/0490 covering the following:

REGISTERED TRADEMARKS

Mark Name	Status	Current Owner	Reg. No.	Reg. Date
XERMELO	Registered	TerSera Therapeutics LLC	5200148	05/09/2017
XERMELO [and three-cube design]	Registered	TerSera Therapeutics LLC	6034081	04/14/2020
[three-cube design]	Registered	TerSera Therapeutics LLC	6034082	04/14/2020